

IN THE CLAIMS:

Please cancel Claims 1-27.

Please add the following new claims:

-- Claim 28. A monoclonal antibody that binds to mouse CD40L encoded by vector pDC406-mCD40-L having ATCC Accession No. 68872.

Claim 29. A pharmaceutical composition comprising a monoclonal antibody according to Claim 28, and a pharmaceutically acceptable carrier.

Claim 30. A hybridoma which secretes a monoclonal antibody that binds to mouse CD40L encoded by vector pDC406-mCD40-L having ATCC Accession No. 68872. --

REMARKS

The title has been amended consistent with the claims of the present application.

The specification has been amended for purposes of clarification and to correct obvious typographical errors therein. Support for the amendment regarding pages 37-38 can be found, *inter alia*, in SEQ ID NOs: 15 and 20. The amendments to the specification are essentially identical to those made in parent application Serial No. 08/249,189 (now allowed).

An ATCC deposit receipt for the hybridomas described in the specification is attached hereto.


New Claims 28-30 have been added to more clearly recite the invention of interest. Support for new Claims 28-30 can be found in, *inter alia*, the cancelled Claims, and Examples 4 and 7 provided in the present specification.

PRELIMINARY AMENDMENT
Cont. of USSN 08/249,189

Hence, the amendments to the specification, and new Claims 28-30 do not constitute new matter, and thus entry is requested.

The Examiner is invited to contact the undersigned at the below listed number on any questions which might arise.

Respectfully submitted,



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Date: May 28, 1999



American Type Culture Collection

2002-C AP

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BUDAPEST TREATY ON THE INTERNATIONAL RECOGNITION OF THE DEPOSIT OF MICROORGANISMS FOR THE PURPOSES OF PATENT PROCEDURE

INTERNATIONAL FORM

RECEIPT IN THE CASE OF AN ORIGINAL DEPOSIT ISSUED PURSUANT TO RULE 7.3
AND VIABILITY STATEMENT ISSUED PURSUANT TO RULE 10.2

To: (Name and Address of Depositor or Attorney)

Immunex Corporation
Attn: Patricia Anne Perkins
51 University Street
Seattle, WA 98101



Deposited on Behalf of: Immunex Corporation

Identification Reference by Depositor:

ATCC Designation

Hybridoma, hCD40L-M90
Hybridoma, hCD40L-M91

HB 12055
HB 12056

The deposits were accompanied by: a scientific description a proposed taxonomic description indicated above.

The deposits were received February 23, 1996 by this International Depository Authority and have been accepted.

AT YOUR REQUEST:

☒ We will inform you of requests for the strains for 30 years.

The strains will be made available if a patent office signatory to the Budapest Treaty certifies one's right to receive, or if a U.S. Patent is issued citing the strains, and ATCC is instructed by the United States Patent & Trademark Office or the depositor to release said strains.

If the cultures should die or be destroyed during the effective term of the deposit, it shall be your responsibility to replace them with living cultures of the same.

The strains will be maintained for a period of at least 30 years from date of deposit, or five years after the most recent request for a sample, whichever is longer. The United States and many other countries are signatory to the Budapest Treaty.

The viability of the cultures cited above was tested March 1, 1996. On that date, the cultures were viable.

International Depository Authority: American Type Culture Collection, Rockville, Md. 20852 USA

Signature of person having authority to represent ATCC:

Barbara M. Hailey, Administrator, Patent Depository

Date: March 4, 1996